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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,953	06/27/2005	Etienne Annic	5284-61PUS	4050
27799 7590 07/22/2008 COHEN, PONTANI, LIEBERMAN & PAVANE LLP 551 FIFTH AVENUE SUITE 1210 NEW YORK, NY 10176				
EXAMINER MITCHELL, DANIEL D				
ART UNIT		PAPER NUMBER		
2619				
MAIL DATE		DELIVERY MODE		
07/22/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/540,953

**Applicant(s)**

ANNIC, ETIENNE

**Examiner**

DANIEL MITCHELL

**Art Unit**

2619

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 6/27/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/27/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 6/27/2005

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. (U.S. Patent No. 6,249,836 B1), hereinafter referred as Downs in view of Venteicher et al. (U.S. Publication No. 2004/0062262 A1), hereinafter referred as Venteicher.

Regarding claim 1, Downs discloses **column 3, lines 48-67, where a resource allocation program is interpreted as a resource manager and a request unit is interpreted as a resource administrator**, a system for managing a resource in a terminal **fig. 2 element 14** for an architecture dedicated to a communications network, wherein said system comprises a dedicated architecture resource manager, **fig. 2 element 28** discloses a resources manager, adapted to process a request, **column 3, lines 48-67** discloses a resource manager processes a request, for a resource of said dedicated architecture defined by a process manager of said dedicated architecture as a function of an application activated on said terminal and to dialogue with a resource administrator, **fig. 3 element 30** discloses request unit that is interpreted as resource administrator and **column 3 lines 48-67** discloses

a request unit that checks if resources are available, of a dedicated architecture manager to manage a resource of said terminal.

**However Downs does not explicitly disclose wherein resource manager processes simultaneously the operation of said dedicated architectures of said terminal that are connected to a plurality of said communications networks.**

Venteicher discloses **page 3, paragraph 35-36** a resource manager that manages multiple links simultaneously, where additional background links that are always on are managed. Therefore, the resource manager processes multiple links, simultaneously.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Downs to include a resource manager that process simultaneously the operation said dedicated architectures. One would be motivated as such in order to advantageously create and manage resources in a cost effective manner Venteicher **page 1, paragraph 7**.

Regarding claim 2, Downs discloses wherein said dedicated architecture resource manager **fig. 2 element 28**, is integrated in each dedicated architecture of said terminal **fig. 2 element 14**, a resource allocator module.

Regarding claim 3 Downs discloses wherein said dedicated architecture resource manager **fig. 3 element 28** includes an interface for exchanging information with said resource administrator **fig. 3 element 30** of said dedicated architecture manager.

Regarding claim 4, Downs discloses wherein said dedicated architecture resource manager **fig. 2 element 28** includes an interface **fig. 2 element 24** for exchanging information with a process manager **fig. 2 element 20** of said dedicated architecture.

Regarding claim 5, Downs discloses wherein said resource administrator **fig. 3 element 30** of said dedicated architecture manager includes an interface for exchanging information with a resource allocator **fig. 3 element 36** of said terminal.

Regarding claim 6, Downs and Venteicher discloses a system as to the parent claim. **However Downs does not explicitly disclose wherein said resource administrator of said dedicated architecture manager includes an interface for exchanging information with a radio interface.**

Venteicher discloses a resource manager that includes a wireless interface **fig. 2 element 30 and page 3 paragraph 33.**

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Downs to include a radio interface for exchanging information. One would be motivated in order to advantageously create and manage resources in a cost effective manner  
Venteicher **page 1, paragraph 7.**

Regarding claim 7, Downs discloses wherein said dedicated architecture resource manager includes a resource correspondence table **fig. 3 element 32** for defining a resource corresponding to an application activated on said terminal.

Regarding claim 8, Downs discloses a method of managing a resource in a terminal for an architecture dedicated to a communications network, wherein said method includes the operations of:

a process manager of said dedicated architecture defining a resource corresponding to said application **column 3 lines 48-67** discloses a processor that manages a resource allocation program including a resource table, which defines corresponding resources to an application;

said process manager requesting said resource of a dedicated architecture resource manager **column 3, lines 64-65**, discloses resources of an element of a resource manager are requested.

said dedicated architecture resource manager responding after checking said resource request **column 3, lines 47-49**, discloses the resource manager will execute a process,

a resource administrator of a dedicated architecture manager responding after checking said resource request **column 5, lines 18-20 and 27-27** discloses a request unit that is interpreted as a resource administrator within a resource manager that determines if resources are available,

a resource allocator of said terminal allocating a resource **page 5, lines 55-57** discloses an allocation unit that allocates resources,

said dedicated architecture resource manager associating said resources with said application after validation **page 5, lines 55-57** teaches a resource allocation unit of a resource manager associates resources if resources are available, and

said process manager executing said application by means of said resource **column 3, lines 48-50**.

**However Downs does not explicitly disclose activating an application on said terminal and a radio interface for access to said communications network allocating a resource.**

Venteicher discloses activating an application on said terminal **page 3, paragraph 33**, Venteicher discloses **fig. 2 element 30** a radio interface for communication **page 3, paragraph 32**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Downs to include a radio interface for accessing a communication network. See similar motivation as claim 6.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL MITCHELL whose telephone number is (571)270-5307. The examiner can normally be reached on Monday - Friday 8:00 am - 5:00 pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shah G. Chirag can be reached on 571-272-3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. M./  
Examiner, Art Unit 2619

/Chirag G Shah/  
Supervisory Patent Examiner, Art Unit 2619